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Marine Ex-Guard at Embassy To Be Tried for Espionage

11 of 24 Charges Against Lonetree Dropped



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A Marine commanding general yesterday ordered that Sgt. Clayton J. Lonetree face court-martial for espionage, but dropped charges that the former Marine security guard allowed Soviet agents into the U.S. Embassy in Moscow.

Lt. Gen. Frank E. Petersen Jr., commanding officer of Quantico Marine Base where the security guard battalion is based, ordered Lonetree to appear before a general court-martial on charges that he disclosed the identity of U.S. intelligence agents to Soviet officials and gave enemy agents classified government documents.

The general ruled that 11 of the 24 charges filed against Lonetree in connection with the security breaches be dropped. Petersen said that evidence did not support some of the charges and ruled that other charges were "multiplicious" and unsubstantial, according to a statement issued by the Marine Corps late yesterday.

Charges that the 25-year-old guard allowed Soviet agents to roam through some parts of the embassy were based on evidence that "consists principally of hearsay which is not admissible at trial," the statement said. Lonetree had denied those allegations.

Petersen ordered Lonetree to face military trial on one count of espionage, three counts of conspiracy to commit espionage and five military legal code violations including allegations that Lonetree disclosed identity of U.S. intelligence agents to Soviet officials. Lonetree also is charged with four counts of failing to obey military regulations.

Lonetree ignited a worldwide investigation of U.S. embassy se-

curity when he told a Central Intelligence Agency agent last December that he had been approached by Soviet agents.

Prosecutors later accused Lonetree of cooperating with Soviet agents after he became sexually involved with a Soviet woman who worked at the Moscow embassy where he was stationed in 1985 and 1986.

Petersen ordered the charges against Lonetree revised after receiving recommendations from a hearing officer who listened to several days of testimony in a pretrial hearing that ended Monday.

The commanding general retained charges centering on allegations that Lonetree gave Soviet agents classified documents from the embassy, including floor plans and office assignments for the U.S. embassies in Moscow and Vienna. Petersen dropped the theft of government property charges associated with those allegations because they were "not considered substantial in light of the extremely serious nature of the other alleged offenses," according to officials.

[William Kunstler, one of Lonetree's attorneys, called Petersen's decision "a great win." In an Associated Press interview, Kunstler said, "They gave us the most manageable part of the case. I predict he's going to end up with (conviction on) fraternization, which we've admitted."]

Lonetree's attorneys had fought allegations that the Marine allowed Soviets into the embassy. They presented a statement at Monday's session of the pretrial hearing stating that a key witness in the case had retracted statements implicating Lonetree in espionage. That Marine, Cpl. Arnold Bracy, also has

been charged with espionage.

A Marine official yesterday said, "There is still an ongoing criminal investigation," adding that Lonetree "could be prosecuted for these offenses if the evidence justifies the charges."

If convicted of espionage or other charges after the court-martial, tentatively scheduled to begin July 15, Lonetree could face maximum penalties of life in prison, a dishonorable discharge, loss of all pay and allowances and a reduction to the lowest enlisted pay grade.

The investigation and prosecution of Lonetree, Bracy and other Marines arrested in connection with the security breach have been plagued by reports of sloppy investigative techniques, lack of evidence and retractions of statements by key witnesses.

Marine officials have said the investigation has been conducted properly, but add that prosecution of espionage cases is difficult because evidence is usually limited.

They note that even signed statements must be corroborated by outside evidence that frequently is difficult to obtain.

[In a related matter, Pentagon sources told the AP that the Marine Corps has asked the Justice Department to assume the prosecution of Sgt. John J. Weirick, a Leningrad consulate guard arrested on suspicion of espionage, because the statute of limitations under military law has expired.]

Staff writer George C. Wilson contributed to this report.